



MICHAEL P. STUPINSKI
First Selectman

STATE OF CONNECTICUT • COUNTY OF TOLLAND
INCORPORATED 1786

TOWN OF ELLINGTON

55 MAIN STREET • P.O. BOX 187
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TEL 870-3100 FAX 870-3102

www.ellington-ct.gov

NANCY O. WAY
Deputy First Selectman

PETER J. CHARTER
DENNIS W. FRAWLEY
ANN L. HARFORD
A. LEO MILLER, JR.
JAMES M. PRICHARD

BOARD OF SELECTMEN
Monday, December 12, 2005
Town Hall – Meeting Hall

SELECTMEN PRESENT: Peter Charter, Dennis Frawley, Ann Harford, A. Leo Miller,
James Prichard, Michael Stupinski and Nancy Way

OTHERS PRESENT: Deputy Fire Marshal: James York; Poster Contest Winners
& their families; Finance Officer: N. DiCorleto; DPW
Director: P. Michaud; Board of Finance Chair: R. Pagani

ANNUAL FIRE PREVENTION POSTER CONTEST AWARD PRESENTATION:

James York and Michael Stupinski presented the following students with awards:

Fourth Grade:

First Place: Amber Agnew
Second Place: Codie Luginbuhl
Third Place: Patrick Caruthers

Fifth Grade:

First Place: Janna Grinaski
Second Place: Alexander White
Third Place: Coby Harned

PUBLIC HEARING: ORDINANCE TO WAIVE INTEREST ON PROPERTY TAX FOR ANY ELLINGTON REAL PROPERTY OWNERS WHO SPOUSE IS ON ACTIVE DUTY IN IRAQ OR AFGHANISTAN.

First Selectman Stupinski opened the public hearing at 7:47 p.m. and read the **attached** legal notice and proposed ordinance. He asked for comments from the public.

Mr. Pagani spoke in favor of the proposed ordinance. He suggested revising the language to include unmarried service men and women. Mr. Stupinski will research the intent and if necessary, adjust the wording before this ordinance is presented at a Town Meeting.

Ms. Harford questioned if the period of one year should be adjusted as the tour of duty may go beyond that period of time. Mr. Stupinski will include this in his research.

Hearing no further comments, Mr. Stupinski closed the Public Hearing at 7:52 p.m.

BOARD OF SELECTMEN MEETING:

I. CALL TO ORDER:

First Selectman Stupinski called the meeting of the Board of Selectmen (BOS) to order at 7:52 p.m.

II. CITIZENS' FORUM: No one came forward.

III. APPROVAL OF MINUTES:

A. November 14, 2005 Board of Selectmen Regular Meeting:

MOVED (WAY), SECONDED (CHARTER) AND PASSED UNANIMOUSLY TO APPROVE THE BOARD OF SELECTMEN REGULAR MEETING MINUTES OF NOVEMBER 14, 2005.

B. December 5, 2003 Board of Selectmen Organizational Meeting:

This item was tabled to the January 9, 2005 meeting.

IV. UNFINISHED BUSINESS:

A. IRS Code Section 125 – Premium Payment Plan – Pre-tax Salary Reduction Basis:

MOVED (WAY), SECONDED (FRAWLEY) AND PASSED [AYE: WAY/FRAWLEY/CHARTER/MILLER/PRICHARD; ABSTAINED: HARFORD] TO AUTHORIZE THE FINANCE OFFICER TO OFFER THE SECTION 125 PREMIUM PAYMENT PLAN TO ELIGIBLE EMPLOYEES.

B. Yanaros Subdivision:

1. Acceptance of Open Space:

MOVED (WAY), SECONDED (CHARTER) TO ACCEPT THE OPEN SPACE FROM THE YANAROS (LADD ROAD) SUBDIVISION DEFINED IN THE WARRANT DEED FROM CHRISTOPHER E. YANAROS AND DEANN C. YANAROS TO THE TOWN OF ELLINGTON DATED SEPTEMBER 2, 2005 AS RECOMMENDED BY THE PLANNING & ZONING COMMISSION WHICH HAS APPROVED IT AS PART OF THE SUBDIVISION APPROVAL.

Discussion:

Mr. Stupinski reviewed the map and pointed out that the proposed open space parcel is 100% wetlands or in the area of influence. He stated that the open space regulations stipulate that the open space parcel be representative of the type of land under active development or should abut open space and recreation areas on adjoining properties. If these criteria are not met, then the developer must pay a fee equal to 10% of the fair market value of the land. Mr. Stupinski stated that the proposed open space parcel has no benefit to the Town and recommended that the BOS reject the parcel. The BOS agreed. Mr. Miller noted for the record that if the Town is going to accept a fee-in-lieu of open space that the land be appraised to ensure a fair and equitable value is assessed when determining the 10% value. He stressed the importance of building the Open Space Fund for future purchases of open space parcels.

VOTE: Unanimously opposed; motion failed.

2. Acceptance of Portion of Ladd Road:

Mr. Stupinski asked Mr. Michaud if everything was in order for acceptance of this portion of Ladd Road. Mr. Michaud responded in the affirmative.

MOVED (WAY), SECONDED (FRAWLEY) AND PASSED UNANIMOUSLY TO ACCEPT A PORTION OF LADD ROAD, AS DEFINED ON THE DEED **ATTACHED** TO THESE MINUTES, AS A TOWN ROAD AND AUTHORIZE THE TOWN PLANNER TO RECORD THE TENDERED DEED PURSUANT TO THIS AUTHORIZATION AND THE SUBDIVISION REGULATIONS.

C. Conservation Commission Policy – Hunting on Town-owned Property

Mr. Stupinski stated that to date the Conservation Commission has not submitted a draft of the proposed policy re: Hunting on Town-owned Property. This item will be tabled to a future BOS meeting.

V. NEW BUSINESS:

A. Tax Refunds/Abatements:

MOVED (WAY), SECONDED (CHARTER) AND PASSED UNANIMOUSLY TO APPROVE THE TAX REFUNDS IN THE AMOUNT OF \$1,597.97 AND TAX ABATEMENTS IN THE AMOUNT OF \$113.09, AS RECOMMENDED BY THE TAX COLLECTOR IN THE REFUNDS/ABATEMENTS STATEMENT. **(ATTACHED)**

B. Former First Selectman Request to Purchase Compaq Pocket PC:

MOVED (WAY), SECONDED (CHARTER) AND PASSED UNANIMOUSLY TO GRANT THE REQUEST OF FORMER FIRST SELECTMAN, DENNIS MILANOVICH, TO PURCHASE FROM THE TOWN THE COMPAQ POCKET PC FOR THE SUM OF \$75.

VI. ADMINISTRATIVE REPORTS: So noted.

VII. SELECTMEN COMMITTEE REPORTS:

A. Personnel Committee:

1. Resignations:

MOVED (CHARTER), SECONDED (HARFORD) AND PASSED UNANIMOUSLY TO ACCEPT, WITH REGRET, THE RESIGNATION OF RICHARD CLEARY FROM THE ECONOMIC DEVELOPMENT COMMISSION.

2. Appointments:

MOVED (FRAWLEY), SECONDED (MILLER) AND PASSED UNANIMOUSLY TO APPOINT RICHARD AVERY TO THE PERMANENT BUILDING COMMITTEE TO FILL AN UNEXPIRED VACANT TERM TO FEBRUARY 28, 2006.

MOVED (HARFORD), SECONDED (CHARTER) AND PASSED UNANIMOUSLY TO APPOINT JOE WEHR AS AN ALTERNATE MEMBER TO THE PLANNING AND ZONING COMMISSION TO FILL AN UNEXPIRED VACANT TERM TO SEPTEMBER 30, 2007.

MOVED (HARFORD), SECONDED (CHARTER) AND PASSED UNANIMOUSLY TO APPOINT CAROL STROM AS AN ALTERNATE MEMBER TO THE PLANNING AND ZONING COMMISSION TO FILL AN UNEXPIRED REPUBLICAN TERM TO SEPTEMBER 30, 2006.

B. Other: None.

VIII. SELECTMEN LIAISON REPORTS: None.

IX. FIRST SELECTMAN'S REPORT:

Mr. Miller stated that he received a recommendation from High School student Jason Godleski to install a "No Right Turn on Red" sign at the intersection of RT 83 (South) and Cider Mill Road, which will allow breaks in the traffic on RT 140 in front of the High School. Mr. Miller felt this was a common-sense approach to the problem that the students and teachers have when taking a left-hand turn to enter the school. Mr. Stupinski will follow up with the DOT.

Mr. Charter asked if the BOS should set a Public Hearing date now for the Land Use Fees. Mr. Stupinski stated that the BOS cannot set a Public Hearing until they receive a recommendation from the Ordinance Committee.

X. CORRESPONDENCE:

A. Letter from Daniel M. Griffin dated December 5, 2005 re: Building Permit Fee Increase. Mr. Stupinski will respond to Mr. Griffin.

XI. ADJOURNMENT:

MOVED (CHARTER), SECONDED (MILLER) AND PASSED UNANIMOUSLY TO ADJOURN THE MEETING OF THE BOARD OF SELECTMEN AT 8:20 P.M.

Submitted by

Marie Lawrence

Approved by

Michael P. Stupinski



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NOTICE OF PUBLIC HEARING TOWN OF ELLINGTON Monday, December 12, 2005

The Town of Ellington will hold a public hearing on December 12, 2005, at 7:30 p.m., prevailing time, at the Ellington Town Hall in Ellington, Connecticut, for the purpose of allowing citizens to comment on a proposed new ordinance as follows:

AN ORDINANCE TO WAIVE INTEREST ON PROPERTY TAX DUE FOR ANY ELLINGTON REAL PROPERTY OWNERS WHOSE SPOUSE IS ON ACTIVE DUTY IN IRAQ OR AFGHANISTAN.

All interested parties are encouraged to attend.

The proposed new ordinance will be available to review in the Town Clerk's Office and First Selectman's Office.

DATED at Ellington, Connecticut, this 30th day of November, 2005.

BY ORDER OF THE BOARD OF SELECTMEN

DENNIS C. MILANOVICH
FIRST SELECTMAN

Journal Inquirer – 12/5/05

Board of Selectmen Set Public Hearing: November 14, 2005

Public Hearing Notice Published On: December 5, 2005

Public Hearing Held On: December 12, 2005

Board of Selectmen Set Town Meeting Date: _____

Town Meeting Notice Published On: _____

Approved by Town Meeting On: _____

LADD Rd.

STATUTORY FORM WARRANTY DEED

CHRISTOPHER E. YANAROS and DEANN C. YANAROS both of Ellington, Connecticut, for consideration received, grant to the TOWN OF ELLINGTON, a municipal corporation located in Tolland County in the State of Connecticut, with WARRANTY COVENANTS, two strips of land along the westerly side of Ladd Road in the Town of Ellington being shown on a map or plan entitled "Plot Plan Subdivision Property Survey/Resurvey Prepared For Christopher E. & Deann Yanaros, 27 Ladd Road, Willington, Connecticut Date: 6-16-04 Revised 9-2-04, 11-4-04, 7-19-05 Scale 1 inch = 40 ft. Design Professionals Civil Engineers - Planners - Surveyors Sheets 3 and 4 of 10", which map is on file in the Town Clerk's Office in said Town of Ellington.

Said premises are more particularly bounded and described as follows:

First Strip

Commencing at a point in the westerly line of Ladd Road, which point is 45.52 feet northerly of the southeasterly corner of Lot No. 1 shown on said map, as measured along the westerly line of Ladd Road; thence N 12° 20' 31" W, 119.82 feet to a point; thence southerly along the westerly line of Ladd Road to the point of beginning.


Second Strip

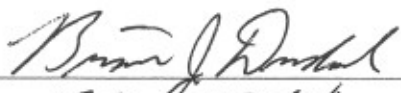
Commencing at a point marking the northeasterly corner of said Lot No. 1 and the southeasterly corner of land now or formerly of Robert E. Muskatello; thence southerly along the westerly line of Ladd Road, 596.74 feet to a point; thence N 21° 59' 49" W, 138.21 feet to a point; thence N 26° 47' 46" W, 88.42 feet to a point; thence N 29° 17' 05" W, 108.19 feet to a point; thence along the arc of a curve to the right having a radius of 360.00 feet, 141.20 feet to a point; thence N 06° 48' 42" W, 9.05 feet to a point; thence along the arc of a curve to the right having a radius of 508.11 feet, 116.08 feet to a point in the southerly line of land now or formerly of Robert E. Muskatello; thence S 86° 18' 58" E along land now or formerly of Robert E. Muskatello, 10 feet to the point of beginning.

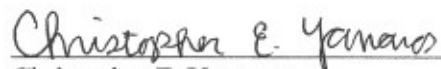
Said premises are conveyed subject to any and all provisions of any ordinance, municipal regulation or public or private law, taxes on the list of October 1 immediately preceding the date of this deed, and any state of facts an accurate survey may show.

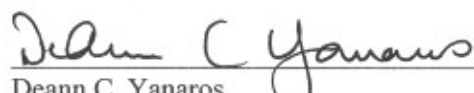
Signed this 2nd day of September, 2005.

Witnessed by:


PETER V. EVANS

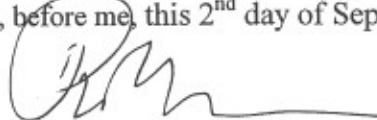

Brian J. Duda


Christopher E. Yanaros


Deann C. Yanaros

STATE OF CONNECTICUT :
COUNTY OF HARTFORD : ss. Hartford

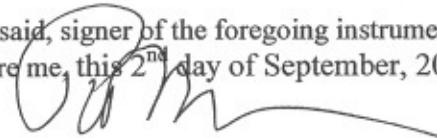
Personally appeared Christopher E. Yanaros, as aforesaid, signer of the foregoing instrument, and acknowledged the same to be his free act and deed, before me, this 2nd day of September, 2005.



Commissioner of the Superior Court
Notary Public
~~My Commission Expires:~~

STATE OF CONNECTICUT :
COUNTY OF HARTFORD : ss. Hartford

Personally appeared Deann C. Yanaros, as aforesaid, signer of the foregoing instrument, and acknowledged the same to be his free act and deed, before me, this 2nd day of September, 2005.



Commissioner of the Superior Court
Notary Public
~~My Commission Expires:~~

Grantees' Mailing Address:

					V-A
	TAX COLLECTOR'S REFUNDS/ABATEMENTS				
	DECEMBER, 2005				
DOLLAR AMOUNT	PERSON/CORPORATION	MV/PERS.PROP REAL ESTATE	YEAR	TAX/ASSESSOR REQUESTING DEPT.	REASON FOR
	REFUNDS				
\$90.11	FLAVELL, ROGER R	REFUSE FEE	04	TAX OFFICE	DUPLICATE PYMT
\$149.50	LAWRENCE, MADELAINE M	MOTOR VEHICLE	04	ASSESSOR	VEHICLE SOLD
\$48.62	VILLANOVA, ROBERT N, RONALD A	MOTOR VEHICLE	04	ASSESSOR	VEHICLE SOLD
\$454.66	WHEELS, INC	MOTOR VEHICLE	03, 04	ASSESSOR	VEHICLE SOLD
\$532.96	WHEELS, LT	MOTOR VEHICLE	04	ASSESSOR	VEHICLE SOLD
\$48.62	WILSON, DONALD L	MOTOR VEHICLE	04	ASSESSOR	VEHICLE SALVAGED
\$273.50	WYSOCKI, EDWARD B & ALICE R	REAL ESTATE	04	TAX OFFICE	DUPLICATE PYMT
\$1,597.97	DECEMBER REFUND TOTAL				
	ABATEMENTS				
\$113.09	PROVOST, RICHARD A	MOTOR VEHICLE	01, 02	TAX OFFICE	HARDSHIP (deceased)
\$113.09	DECEMBER ABATEMENT TOTAL				
\$1,711.06	DECEMBER, 2005 REFUND AND ABATEMENT TOTAL				
refdec05					